

## **Superfund Program Implementation Manual FY 09**

### **Appendix G: Government Performance and Results Act (GPRA)**

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**APPENDIX G:  
GOVERNMENT PERFORMANCE AND RESULTS ACT (GPRA)**

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## **APPENDIX G: GOVERNMENT PERFORMANCE AND RESULTS ACT (GPRA)**

### ***G.A. GOVERNMENT PERFORMANCE AND RESULTS ACT (GPRA) OF 1993***

Superfund's program planning and reporting requirements have evolved and matured in recent years. The National Goals Project of 2005 and the Chief Financial Officer's (CFO) Act started the evolution of Superfund program management by shifting the focus from tracking administrative and program outputs to a results-oriented future (e.g., Superfund environmental indicators) in which the program is held accountable for achieving quantifiable environmental results. Superfund has continued its evolution towards more outcome-oriented measures under the congressionally mandated GPRA, which provides the overarching principles for Superfund program management.

#### **Background**

In 1993, Congress enacted the Government Performance and Results Act of 1993 (Public Law 103-62). The Government Performance and Results Act (GPRA) holds federal agencies accountable for using resources wisely and achieving program results. GPRA requires agencies to develop plans for what they intend to accomplish, measure how well they are doing, make appropriate decisions based on the information they have gathered, and communicate information about their performance to Congress and to the public. GPRA has three basic requirements - the Strategic Plan, the Annual Performance Plan and the Annual Performance Report - which are described in detail in the sections that follow.

#### **G.A.1. Strategic Plan Requirements**

GPRA requires that the Agency write a strategic plan which covers a minimum period of six years, beginning in the fiscal year that it is published. The Agency must update its strategic plan every three years or when there are significant policy, programmatic, or other changes to any element of the current plan. Minor changes to the strategic plan can be incorporated in advance of the three-year cycle by including the changes in the annual performance plan. The latest strategic plan was published in October 2006 and covers 2006 through 2011. The Agency is currently working on the next update, which will be published in October 2009; therefore, performance measures might change in FY 2010. Strategic plan elements required by GPRA are as follows:

##### **a. Comprehensive Mission Statement**

The mission statement is a brief statement which defines the basic purpose of the agency. It focuses on the core programs and activities, including a brief discussion of the enabling or authorizing legislation and issues Congress specifically charged the agency to address.

##### **b. General Goals and Objectives**

The Strategic Plan documents the long-term programmatic, policy, and management goals of the agency, including the planned accomplishments and the schedule for their implementation. The general goals and objectives elaborate how the agency will carry out its mission. To the extent possible, this should be in the form of outcome-type goals. In the EPA Strategic Plan objectives are broken down into subobjectives to address specific issues not captured in the broad objective statements. These subobjectives correspond with program result codes (PRCs) in the EPA planning and budget structure.

The criteria for the general goals and objectives are as follows: (a) the goals/objectives need to be precise in order to direct and guide the staff to fulfill the mission of the agency, (b) the goals/objectives should be within the agency's span of influence, and (c) the goals/objectives should be defined in a manner that allows future assessment to be made on whether the goals/objectives were or are being achieved.

**c. Description of How General Goals and Objectives Will Be Achieved**

This section describes the means the agency will use to meet the general goals and objectives. This includes, when applicable: (a) operational processes, (b) skills and technologies, and (c) human, capital, information, and other resources.

**d. Relationship Between Goals in the Annual Performance Plan and in a Strategic Plan**

The Strategic Plan should briefly outline: (a) the type, nature, and scope of performance goals to be included in a performance plan, (b) the relationship between the performance goals and the general goals and objectives, and (c) the relevance and use of performance goals in helping determine the achievement of general goals and objectives.

**e. Key Factors Affecting Achievement of General Goals and Objective**

The Strategic Plan identifies key external factors that are beyond the Agency's control that could significantly affect the achievement of the general goals and objectives. The external factor needs to be linked to a goal(s) and describe how the achievement of the goal could be affected by the factor.

**f. Program Evaluations**

Program evaluations that were used in preparing the Strategic Plan should be briefly described. Also, a schedule for future program evaluations needs to be included.

Development of the Strategic Plan is considered to be an inherently governmental function; therefore, it can only be performed by federal employees.

**G.A.2. Annual Performance Plan**

Agencies submit an annual performance plan to Congress with the enacted operating plan for each fiscal year. The performance plan includes:

**a. Performance Goals**

Objective, quantifiable, and measurable performance goals that define the level of performance to be achieved by a program activity. At EPA these are called annual performance goals (APGs).

**b. Resources**

A brief description of the operational processes, skills and technology, and the human, capital, information, or other resources required to meet performance goals.

**c. Performance Indicators**

Performance indicators to assess the relevant outputs, service levels, and outcomes of each activity. At EPA these are called annual performance measures (APMs).

**d. Verification and Validation**

A basis for comparing actual program results with the established performance goals, and a description of the methodology to be used to verify and validate measured values.

The development of the annual performance plan is considered to be an inherently governmental function; therefore, it can only be performed by federal employees.

**G.A.3. Annual Performance Report**

Agencies are required to submit an annual performance report to the President and Congress no later than November 15 of each year. At EPA, this is called the 'Performance and Accountability Report' (PAR). The performance report includes:

- The performance indicators in the agency performance plan with a comparison of the program performance achieved against the performance goal(s) that were set;
- A review of the success in achieving the performance goals;
- An assessment of the performance plan for the current fiscal year relative to the performance achieved in the preceding fiscal year;
- An explanation and description, where a performance goal was not met, of why the goal was not met, and either plans and schedules for achieving the performance goal or recommended action if the performance goal is impractical or infeasible (e.g., current or future funding is inadequate, an unforeseen occurrence impedes achievement);
- A description of the use and effectiveness of a managerial flexibility waiver in achieving the performance goal;
  - An indication of any individual or organizational consequences resulting from a failure, after using the waiver, to maintain the previous level of performance;
  - A brief explanation of the reasons for suspending or ending prematurely any waiver that was in effect for the fiscal year;
- A summary of the program evaluations completed during the fiscal year; Performance trend data for the three preceding fiscal years; and
- An acknowledgment of the role and a description of the contributions made by non-federal entities in the preparation of the report.

Development of the annual performance report is considered to be an inherently governmental function; therefore, it can only be performed by federal employees.

### ***G.B. SUPERFUND GPRA STRUCTURE***

EPA's planning and budgeting architecture for Superfund appropriations is encompassed in Goal 3 of the 2006-2011 Strategic Plan. The text below is the section of the Strategic Plan that covers the Superfund program. The remedial GPRA measures are tracked using the SCAP-15 report. Regions negotiate their own specific targets with Headquarters during annual work planning sessions. The Agency's Strategic Plan and budget requests can be found on the internet at <http://www.epa.gov/ocfo/>. The numerical goals indicated in each strategic target listed below are national.

#### **Goal 3: Land Preservation and Restoration**

Preserve and restore the land by using innovative waste management practices and cleaning up contaminated properties to reduce risks posed by releases of harmful substances.

#### **Objective 3.2: Restore Land**

By 2011, control the risks to human health and the environment by mitigating the impact of accidental or intentional releases and by cleaning up and restoring contaminated sites or properties to appropriate levels.

#### **Sub-objective 3.2.1: Prepare for and Respond to Accidental and Intentional Releases**

By 2011, reduce and control the risks posed by accidental and intentional releases of harmful substances by improving our nation's capability to prevent, prepare for and respond more effectively to these emergencies.

Strategic Targets:

- By 2011, achieve and maintain at least 95 percent of the maximum score on readiness evaluation criteria in each region.

- By 2011, complete an additional 975 Superfund-lead hazardous substance removal actions. (In FY 2005, 175 of these actions were completed.)
- By 2011, oversee and complete an additional 650 voluntary removal actions. (In FY 2005, 137 of these actions were completed.)
- By 2011, reduce by 25 percent the gallons of oil spilled by facilities subject to Facility Response Plan regulations relative to the 601,000 gallons of oil spilled in 2003.
- By 2011, inspect (and ensure compliance at) 90 percent of the estimated 4,200 facilities subject to Facility Response Plan regulations, up from 50 percent in 2004.

**Sub-objective 3.2.2: Clean Up and Revitalize Contaminated Land**

By 2011, control the risks to human health and the environment at contaminated properties or sites through cleanup, stabilization, or other action, and make land available for reuse.

Strategic Targets:

- By 2011 make final assessment decisions at 40,491 of 44,700 potentially hazardous waste sites evaluated by EPA to help resolve community concerns on whether these sites require long-term cleanup to protect public health and the environment and to help determine if they can be cleared for possible redevelopment (By the end of FY07, a total of 39,766 final site assessment decisions had been made).
- By 2011, control all identified unacceptable human exposures from site contamination for current land and/or groundwater use conditions at 85 percent (1,316) of 1,543 Superfund human exposure sites. (The universe of 1,543 is the number of National Priorities List (NPL) sites with potential human exposure pathways as of FY 2005 and includes 172 Superfund federal facility sites. Baseline: By the end of FY 2006, approximately 82 percent (1,266) of sites had human exposure under control.) By 2011 increase to 95 percent the high National Corrective Action Prioritization System (NCAPS)-ranked RCRA facilities with human exposure to toxins controlled. (The universe of all facilities that need RCRA Corrective Action will be finalized by the end of 2007 and will include high, medium, and low ranked facilities.)
- By 2011, control the migration of contaminated ground water through engineered remedies or natural processes, or other appropriate actions at 74 percent (1,017) of 1,381 Superfund groundwater sites. (The universe of 1,381 sites is the number of NPL sites with groundwater contamination as of FY 2005 and includes 166 Superfund federal facility sites. Baseline: By the end of FY 2005, 68 percent (937) of sites had groundwater migration under control.) By 2011, increase to 80 percent the high NCAPS-ranked RCRA facilities with migration of contaminated groundwater under control. (The universe of all facilities that need RCRA Corrective Action will be finalized by the end of 2007 and will include high, medium, and low ranked facilities.)
- By 2011, reduce the backlog of LUST cleanups (confirmed releases that have yet to be cleaned up) that do not meet state risk-based standards for human exposure and groundwater migration from 26 percent to 21 percent. By 2011, increase to 22 percent the RCRA facilities with final remedies constructed. (The universe of all facilities that need RCRA Corrective Action will be finalized by the end of 2007 and will include high, medium, and low ranked facilities.) By 2011, complete construction of remedies at approximately 76 percent (1,171) of 1,547 Superfund sites. (The universe of 1,547 sites is the total number of sites on the NPL as of FY 2005 and includes 172 Superfund federal facility sites. Baseline: By the end of FY 2005, 62 percent or 966 sites had completed construction.) (Note that construction completion is a milestone which indicates that all significant construction activity has been completed, even though additional remediation may be needed for all cleanup goals to be met.)
- By 2011, ensure that 36 percent (345) of 966 final and deleted construction complete NPL sites are ready for reuse site-wide. (As of July 2006, 20 percent (195) of the 966 final and deleted construction complete NPL sites, including 14 Superfund federal facility sites, met EPA's definition for ready for reuse site-wide.)



**Sub-objective 3.2.3: Maximize Potentially Responsible Party Participation at Superfund Sites**

Through 2011, conserve federal resources by ensuring that potentially responsible parties conduct or pay for Superfund cleanups whenever possible.

## Strategic Targets:

- Each year through 2011, reach a settlement or take an enforcement action before the start of a remedial action at 95 percent of Superfund sites having viable, liable responsible parties other than the federal government.
- Each year through 2011, address all unaddressed costs in statute of limitations cases for sites with unaddressed total past Superfund costs equal to or greater than \$200,000.

***G.C. SUBJECT MATTER EXPERTS***

The following table identifies the subject matter experts for Appendix G.

**EXHIBIT G.1. SUBJECT MATTER EXPERTS**

<b>Subject Matter Expert</b>	<b>Subject Area</b>	<b>Phone #style</b>	<b>Email</b>
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